# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/909,250 | 07/19/2001 | Rod Mancisidor | WHISPERWIRE-03R | 8686 |

| 26874 | 7590 | 04/17/2006 |
|---|---|---|

FROST BROWN TODD, LLC
2200 PNC CENTER
201 E. FIFTH STREET
CINCINNATI, OH 45202

| EXAMINER |
|---|
| THAI, CANG G |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3629 | |

DATE MAILED: 04/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | Application No. | Applicant(s) |
| | 09/909,250 | MANCISIDOR ET AL. |
| **Office Action Summary** | Examiner | Art Unit | |
| | Cang G. Thai | 3629 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *21 September 2005*.

2a)☒ This action is **FINAL**.     2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-8,41-46,51 and 66-82* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-8,41-46,51 and 66-82* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

## DETAILED ACTION

### *Response to Amendment*

The amendment filed on 09/21/2005 has been entered.

### *Claim Rejections - 35 USC § 101*

1.    35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2.    Claims 41-46 and 52 are rejected under 35 U.S.C. 101 because the claim of invention is directed to non-statutory subject matter.

In order for the claimed invention to be statutory subject matter, the claimed invention must fall within one of the statutory classes of invention as set forth in USC § 101 (i.e. a process, machine, manufacture, or composition of matter which has practical application in the technological arts).

Applicant claimed a live human agent in an expert system to recommend a product.

If the broadest reasonable interpretation of the claimed invention as a whole encompasses a human being, then the rejection under 35 U.S.C. 101 must be made indicating that the claimed invention is directed to non-statutory subject matter. [MPEP 2105 – Patentable Subject Matter – Living Subject Matter [R-1]]

### *Claim Rejections - 35 USC § 112*

3.    The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4.      Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

As for claim 1, it is not clear on the term the act of inputting the user need

information into the expert system and perform by the live human agent.

### Claim Rejections - 35 USC § 102

5.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.      Claims 1-8, 41-46, 51 and 66-82 rejected under 35 U.S.C. 102(e) as being

anticipated by US Patent No. 5,963,939 (MCCANN ET AL).

As for claim 1, MCCANN discloses a method for recommending a product using

a computer expert system, the method comprising:

determining problem domain information via interaction between a live human

agent and a customer, wherein the live human agent serves as an intermediary

between the expert system and the customer {Column 1, Lines 65-66, wherein this

reads over "the VAR or technical consultant, of course, must be familiar with products

and services currently available"};

determining need information of the customer via interaction between the live

human agent and the customer, wherein the need information relates to

telecommunications needs of the customer {Column 1, Lines 59-64, wherein this reads

over "customers often would prefer to communicate their business needs in non-

technical language, including what trade-offs the business would be willing to make

from a business perspective, if there were some assurance that the technical consultant

could optimize a solution to those business needs"};

inputting the customer need information into the expert system, wherein the act

of inputting the user need information into the expert system is performed by the live

human agent {Column 2, Lines 14-16, wherein this reads over "the technical consultant

is often further relied upon for the installation and configuration of the equipment

pertinent to the solution"};

transforming the customer need information into a trait, the trait being

characteristic of a product of relevance to the customer, the telecommunications

product of relevance being selected from a plurality of available telecommunication

products {Column 2, Lines 18-21, wherein this reads over "the instructions included are

often written at a single level of technical sophistication and often require some previous

familiarity with the product family"}; and

rating a telecommunications product within the plurality of available

telecommunications products using the expert system {Column 37, Lines 40-42,

wherein this reads over "the requirement translation base class 210 allows translation If

the ratings or rankings into an intermediate representation of features"}.

Telecommunication products are set forth (Page 8 of the Specification) also include

Internet access services and/or data network services.

As for claim 2, MCCANN discloses the method of claim 1, wherein a live human

agent determines the need information of the customer and inputs the customer need

information into the expert system via a graphical user interface serviced by an agent

computer {Column 4, Lines 17-19, wherein this reads over "the expert mode 400c,

allows the user to enter the expert mode 400c to identify desktops and then access

novice mode to configure the remainder of the system"}.

As for claim 3, MCCANN discloses the method of claim 1, further comprising:

summarizing the ratings of the plurality of available telecommunications products

{Column 4, Lines 39-42, wherein this reads over "The incremental editor thus allows a

user to identify a particular product in expert mode 400c, and then access the

incremental editor to substitute a different product for the product identified"}; and

providing explanation of the ratings of the plurality of available

telecommunications products {Column 4, Lines 25-29, wherein this reads over "The

rank is determined by comparing the product to other products on the market; a

product that is the best of ten products on the market, for example, is assigned a rank

of 10, while a similar product of only median quality is assigned a rank of 5"}.

As for claim 4, MCCANN discloses the method of claim 3, wherein the summary

of the ratings of the plurality of available telecommunications products comprises at

least one of a recommended solution, a compatible solution, and a not recommended

solution {Column 4, Lines 25-29, wherein this reads over "The rank is determined by

comparing the product to other products on the market; a product that is the best of ten

products on the market, for example, is assigned a rank of 10, while a similar product of

only median quality is assigned a rank of 5"}.

As for claim 5, MCCANN discloses the method of claim 1, wherein the plurality of

available telecommunications products comprises a service {Column 1, Lines 65-66,

wherein this reads over "the VAR or technical consultant, of course, must be familiar

with products and services currently available"}.

As for claim 6, MCCANN discloses the method of claim 1, further comprising

communicating the rating from live human agent to the customer {Column 1, Lines 59-

64, wherein this reads over "customers often would prefer to communicate their

business needs in non-technical language, including what trade-offs the business would

be willing to make from a business perspective, if there were some assurance that the

technical consultant could optimize a solution to those business needs"}; and

wherein the rating of the telecommunications product within the plurality of

available products using the expert system is performed in real time {Column 21, Lines

50-55, wherein this reads over "A third set of processes corresponding to the Calibration

Base Class 280, given a product-category (i.e., subclass of the Collections Base Class

300 and the Products Base Class 240 (FIGS. 47-50)), then accesses each Calibration

Base Class 280 subclass and provides a "real world" value corresponding to the

ranking"}.

As for claim 7, MCCANN discloses the method of claim 1, wherein the expert

system employs a fuzzy value in performing rating of a telecommunications product

{Column 15, Lines 42-45, wherein this reads over "A Calibration Base Class 280 is used to convert user responses to the question procedures into values and rankings that can be used to develop a recommended solution"}.

As for claim 8, MCCANN discloses the method of claim 1, wherein the expert system employs a crisp value in performing rating of the telecommunications product {Column 15, Lines 42-45, wherein this reads over "A Calibration Base Class 280 is used to convert user responses to the question procedures into values and rankings that can be used to develop a recommended solution"}.

As for claim 41, MCCANN discloses an expert system that is operable for recommending a product, the expert system comprising:

a computer network {Column 2, Lines 5-8, wherein this reads over "Local and wide area network standards, linguistic considerations, and even power supply compatibility requirements impose severe external constraints on a solution"};

a live human agent interface, communicatively coupled to the computer network, comprising a graphical user interface {See Fig. 50, Element 100h};

a product database, communicatively coupled to the computer network, that contains a plurality of available products, the telecommunications product database being communicatively coupled to a plurality of providers of the plurality of available products thereby allowing updating of the telecommunications product database in real time {See Fig. 50, Element 718}; and

an expert system, communicatively coupled to the computer network, that is operable to rate at least two available products within the plurality of available

telecommunications products using dynamic calculation and based on a customer need

{See Fig. 7, Element 210};

wherein a live human agent and a customer interact in real time whereby the

customer communicates a customer need to the live human agent and the live human

agent accesses the functionality of the expert system, via the graphical user interface,

to perform selection of an available telecommunications product from the product

database based on the rating of the at least two available telecommunications products

during the customer-client interaction {See Fig. 7, Element 400};

the expert system generates output comprising a recommended

telecommunications solution and a compatible telecommunications solution and

presents the output to the agent via the graphical user interface, each of the

recommended telecommunications solution and a compatible solution being selected

from the plurality of available products within the product database, the recommended

solution having a rating that is higher than the rating of the compatible

telecommunications solution {See Fig. 11B, Element 210b}; and

wherein the live human agent communicates the recommended solution and the

compatible telecommunication solution to the customer in real time after the expert

system generates the output {See Fig. 11B, Element 258}.

As for claim 42, MCCANN discloses the expert system of claim 41, wherein at

least one of the recommended solution and the compatible solution comprises at least

one of a data network solution and an Internet access solution {Column 4, Lines 25-29,

wherein this reads over "The rank is determined by comparing the product to other

products on the market; a product that is the best of ten products on the market, for example, is assigned a rank of 10, while a similar product of only median quality is assigned a rank of 5"}.

As for claim 43, MCCANN discloses the expert system of claim 41, wherein the output further comprises an explanation for why the recommended solution was selected by the expert system {Column 4, Lines 25-29, wherein this reads over "The rank is determined by comparing the product to other products on the market; a product that is the best of ten products on the market, for example, is assigned a rank of 10, while a similar product of only median quality is assigned a rank of 5"}.

As for claim 44, MCCANN discloses the expert system of claim 41, wherein the expert system employs at least one of a dedicated Internet access guidance engine and a data network guidance engine to rate the at least two available products within the plurality of available products {Column 1, Lines 65-66, wherein this reads over "the VAR or technical consultant, of course, must be familiar with products and services currently available"}.

As for claim 45, MCCANN discloses the expert system of claim 41, wherein agent receives information concerning at least one of the available products within the plurality of available products to the agent via the graphical user interface {Column 4, Lines 17-19, wherein this reads over "the expert mode 400c, allows the user to enter the expert mode 400c to identify desktops and then access novice mode to configure the remainder of the system"}.

As for claim 46, MCCANN discloses a plurality of software instructions stored on a media that, upon execution by a processing circuitry, are operable to recommend a product by using an expert system, comprising:

a set of instructions executed by the processing circuitry that determines problem domain information during interaction with a live human agent, wherein the problem domain relates to a telecommunications network configuration {Column 1, Lines 65-66, wherein this reads over "the VAR or technical consultant, of course, must be familiar with products and services currently available"};

a set of instructions executed by the processing circuitry that determines need information of a customer during interaction with a live human agent, wherein the need information relates to a telecommunications network configuration {Column 1, Lines 59-64, wherein this reads over "customers often would prefer to communicate their business needs in non-technical language, including what trade-offs the business would be willing to make from a business perspective, if there were some assurance that the technical consultant could optimize a solution to those business needs"};

a set of instructions executed by the processing circuitry that inputs the customer need information into the expert system {Column 2, Lines 14-16, wherein this reads over "the technical consultant is often further relied upon for the installation and configuration of the equipment pertinent to the solution"};

a set of instructions executed by the processing circuitry that transforms the customer need information into a trait, the trait being characteristic of a product of relevance to the customer as determined using expert system processing that is

performed by the expert system, the product of relevance being selected from a plurality

of available products {Column 2, Lines 18-21, wherein this reads over "the instructions

included are often written at a single level of technical sophistication and often require

some previous familiarity with the product family"}; and

a set of instructions executed by the processing circuitry that rates a product

within the plurality of available products using the expert system, wherein the product

comprises a telecommunications network configuration {Column 37, Lines 40-42,

wherein this reads over "the requirement translation base class 210 allows translation If

the ratings or rankings into an intermediate representation of features"}.

As for claim 51, MCCANN discloses a plurality of software instructions stored on

a media that, upon execution by a processing circuitry, are operable to recommend

telecommunication network configuration, comprising:

a set of instructions executed by the processing circuitry that performs expert

system processing to rate at least two available products within a plurality of available

products using dynamic calculation and based on a customer need, wherein the

products comprise a telecommunications network configuration {Column 1, Lines 65-66,

wherein this reads over "the VAR or technical consultant, of course, must be familiar

with products and services currently available"};

a set of instructions executed by the processing circuitry that enable a live human

agent and a customer to interact in real time whereby the customer communicates a

customer need to the live human agent and the live human agent accesses the

functionality of the expert system processing, via the graphical user interface, to perform

selection of an available product from the product database based on the rating of the at

least two available products during the agent-customer interaction {Column 2, Lines 18-

21, wherein this reads over "the instructions included are often written at a single level

of technical sophistication and often require some previous familiarity with the product

family"};

a set of instructions executed by the processing circuitry that generates output

comprising a recommended solution and a compatible solution and presents the output

to the live human agent via the graphical user interface, each of the recommended

solution and a compatible solution being selected from the plurality of available products

within the product database, the recommended solution having a rating that is higher

than the rating of the compatible solution {Column 2, Lines 18-21, wherein this reads

over "the instructions included are often written at a single level of technical

sophistication and often require some previous familiarity with the product family"}; and

a set of instructions executed by the processing circuitry that prompts the live

human agent to communicate the recommended solution and the compatible solution to

the customer in real time after the expert system processing generates the output,

wherein the recommended solution comprises a network configuration {Column 2, Lines

18-21, wherein this reads over "the instructions included are often written at a single

level of technical sophistication and often require some previous familiarity with the

product family"}.

As for claim 66, MCCANN discloses the method of claim 1, wherein the plurality

of available telecommunications products comprises a plurality of telecommunications

network configurations {Column 4, Lines 25-29, wherein this reads over "The rank is determined by comparing the product to other products on the market; a product that is the best of ten products on the market, for example, is assigned a rank of 10, while a similar product of only median quality is assigned a rank of 5"}.

As for claim 67, MCCANN discloses the method of claim 66, wherein the rated telecommunications product comprises a telecommunications network product comprises a telecommunications network configuration {Column 4, Lines 25-29, wherein this reads over "The rank is determined by comparing the product to other products on the market; a product that is the best of ten products on the market, for example, is assigned a rank of 10, while a similar product of only median quality is assigned a rank of 5"}.

As for claim 68, MCCANN discloses a method for providing a network configuration solution to a customer, the method comprising:

obtaining information from a customer regarding product needs of the customer, wherein the information is obtained by a live human agent {Column 1, Lines 65-66, wherein this reads over "the VAR or technical consultant, of course, must be familiar with products and services currently available"};

entering the information into a computer system, wherein the computer system comprises an expert system, wherein the act of entering the information is performed by the live human agent {Column 2, Lines 14-16, wherein this reads over "the technical consultant is often further relied upon for the installation and configuration of the equipment pertinent to the solution"};

processing the information, wherein the act of processing is performed by the

expert system within the computer system {Column 2, Lines 18-21, wherein this reads

over "the instructions included are often written at a single level of technical

sophistication and often require some previous familiarity with the product family"};

producing at least one product solution, wherein the at least one product solution

is produced by the expert system within the computer system, wherein the act of

producing at least one product solution is performed in accordance with the entered and

processed information {Column 37, Lines 40-42, wherein this reads over "the

requirement translation base class 210 allows translation If the ratings or rankings into

an intermediate representation of features"};

presenting the at least one product solution to the live human agent, wherein the

act of presenting the at least one product solution to the live human agent is performed

by the computer system {Column 4, Lines 25-29, wherein this reads over "The rank is

determined by comparing the product to other products on the market; a product that is

the best of ten products on the market, for example, is assigned a rank of 10, while a

similar product of only median quality is assigned a rank of 5"}; and

presenting at least a portion of the at least one product solution to the customer,

wherein the act of presenting at least a portion of the at least one product solution to the

customer is performed by the live human agent {See Fig. 11B, Element 258}.

As for claim 69, MCCANN discloses the method of claim 68, wherein the act of

processing comprises using fuzzy logic to produce at least one product solution

{Column 15, Lines 42-45, wherein this reads over "A Calibration Base Class 280 is used

to convert user responses to the question procedures into values and rankings that can be used to develop a recommended solution"}.

As for claim 70, MCCANN discloses the method of claim 68, wherein the act of processing comprises using heuristic to produce at least one product solution {Column 15, Lines 42-45, wherein this reads over "A Calibration Base Class 280 is used to convert user responses to the question procedures into values and rankings that can be used to develop a recommended solution"}.

As for claim 71, MCCANN discloses the method of claim 68, further comprising presenting a plurality of product solutions to the customer {Column 4, Lines 25-29, wherein this reads over "The rank is determined by comparing the product to other products on the market; a product that is the best of ten products on the market, for example, is assigned a rank of 10, while a similar product of only median quality is assigned a rank of 5"}.

As for claim 72, MCCANN discloses the method of claim 70, wherein each product solution of the plurality of product solutions is qualified by a ranking selected from a plurality of rankings {Column 4, Lines 39-42, wherein this reads over "The incremental editor thus allows a user to identify a particular product in expert mode 400c, and then access the incremental editor to substitute a different product for the product identified"}.

As for claim 73, MCCANN discloses the method of claim 72, wherein the plurality of rankings comprise recommended, compatible, and not recommended {Column 4, Lines 25-29, wherein this reads over "The rank is determined by comparing the product

to other products on the market; a product that is the best of ten products on the market,

for example, is assigned a rank of 10, while a similar product of only median quality is

assigned a rank of 5"}.

As for claim 74, MCCANN discloses the method of claim 72, further comprising

providing a script to the live human agent, wherein the act of providing a script is

performed by the expert system via the computer system {Column 4, Lines 17-19,

wherein this reads over "the expert mode 400c, allows the user to enter the expert

mode 400c to identify desktops and then access novice mode to configure the

remainder of the system"}.

As for claim 75, MCCANN discloses the method of claim 74, wherein the

provided script relates to the act of obtaining information from the customer {Column 4,

Lines 17-19, wherein this reads over "the expert mode 400c, allows the user to enter the

expert mode 400c to identify desktops and then access novice mode to configure the

remainder of the system"}.

As for claim 76, MCCANN discloses the method of claim 75, wherein the script

comprises one or more questions for the live human agent to ask the customer {Column

4, Lines 17-19, wherein this reads over "the expert mode 400c, allows the user to enter

the expert mode 400c to identify desktops and then access novice mode to configure

the remainder of the system"}.

As for claim 77, MCCANN discloses the method of claim 68, wherein the

customer has no direct interaction with the expert system {Column 4, Lines 25-29,

wherein this reads over "The rank is determined by comparing the product to other

products on the market; a product that is the best of ten products on the market, for

example, is assigned a rank of 10, while a similar product of only median quality is

assigned a rank of 5"}.

As for claim 78, MCCANN discloses the method of claim 68, wherein the needs

of the customer comprise telecommunications needs {Column 4, Lines 17-19, wherein

this reads over "the expert mode 400c, allows the user to enter the expert mode 400c to

identify desktops and then access novice mode to configure the remainder of the

system"}.

As for claim 79, MCCANN discloses the method of claim 68, wherein the at least

one product solution comprises a telecommunications network configuration solution

{See Fig. 11B, Element 258}.

As for claim 80, MCCANN discloses the method of claim 68, wherein at least a

portion of the needs of the customer are represented as data points {Column 37, Lines

40-42, wherein this reads over "the requirement translation base class 210 allows

translation If the ratings or rankings into an intermediate representation of features"}.

As for claim 81, MCCANN discloses the method of claim 80, wherein the at least

a portion of the needs of the customer are represented as data points by the live human

agent during the act of entering the information into the computer system {Column 37,

Lines 40-42, wherein this reads over "the requirement translation base class 210 allows

translation If the ratings or rankings into an intermediate representation of features"}.

As for claim 82, MCCANN discloses the method of claim 80, wherein the at least

a portion of the needs of the customer are represented as data points by the expert

system during the act of processing the information {Column 2, Lines 18-21, wherein

this reads over "the instructions included are often written at a single level of technical

sophistication and often require some previous familiarity with the product family"}.

### *Response to Arguments*

7.      Applicant's arguments with respect to claims 1-8, 41-46, 46, 51 and 66-82 have

been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

8.      Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action.  Accordingly, **THIS ACTION IS MADE FINAL**.  See MPEP

§ 706.07(a).  Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.  In no event, however, will the statutory period for reply expire later

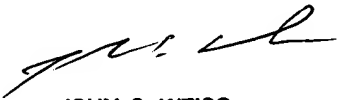than SIX MONTHS from the date of this final action.

No claims are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT
01/02/2005

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600